

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION

CRIMINAL NO. 2:03CR40

UNITED STATES OF AMERICA

vs.

MICKEY EDWARD RATTLER

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ORDER

**THIS MATTER** is before the Court on Defendant's motion to dismiss appeal pursuant to Fed. R. App. P. 42(a).

Because the appeal has now been docketed by the circuit clerk for the Fourth Circuit Court of Appeals, this Court has no jurisdiction to dismiss the appeal.

**IT IS, THEREFORE, ORDERED** that the Defendant's motion is **DENIED** without prejudice to renewal in the Fourth Circuit Court of Appeals.

Signed: May 29, 2007



Lacy H. Thornburg  
United States District Judge

